

## Message Text

UNCLASSIFIED

PAGE 01 MEXICO 08974 040254Z  
ACTION L-03

INFO OCT-01 ARA-10 ISO-00 SCS-05 DHA-02 SCA-01 JUSE-00  
FBIE-00 /022 W  
-----040833Z 066430 /10  
R 040248Z JUN 77  
FM AMEMBASSY MEXICO  
TO SECSTATE WASHDC 2586

UNCLAS MEXICO 08974

E.O. 11652:N/A  
TAGS: CASC,MX  
SUBJECT: US-MEXICAN PRISONER TRANSFER TREATY

REF: (A) STATE 123185, (B) VAGTS/GAITHER TELECON MAY 31

1. PRESCRIBED TIME FOR TAKING A DIRECT APPEAL FROM A  
MEXICAN CONVICTION IS FIVE DAYS. (IN PRACTICE THIS IS FIVE  
WORKING DAYS.)

2. U.S. SENTENCES OF LIFE IMPRISONMENT WOULD BE SUBJECT TO  
THE MEXICAN PAROLE PROVISIONS. UNDER THESE PROVISIONS  
ITEMS SUCH AS CONDUCT WHILE IN PRISON, JOB AVAILABILITY ON  
THE OUTSIDE, ETC., ARE CONSIDERED IN DETERMINING ELIGIBILI-  
TY. MINIMUM TIME PAROLE REQUIREMENT FOR FEDERAL OFFENSES  
WOULD BE TWO-THIRDS FOR "INTENTIONAL" OFFENSE AND ONE HALF  
FOR "UNINTENTIONAL" OFFENSE; E.G., INVOLUNTARY-TYPE OFFENSE  
STATE MINIMUMS VARY FROM ONE HALF TO TWO THIRDS. NARCOTICS  
OFFENDERS, "HABITUAL OFFENDERS", AND PERSONS  
PREVIOUSLY CONVICTED FOR SAME OFFENSE ARE NOT ELIGIBLE FOR  
PAROLE UNDER PRESENT LAW.

3. MEXICO DOES NOT HAVE LIFE IMPRISONMENT. MAXIMUM SENTENCE  
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IS FORTY YEARS FOR ONE OFFENSE BUT IF MORE THAN ONE CHARGE  
MAXIMUM COULD READILY EQUATE TO LIFE, E.G., MURDER PLUS  
ROBBERY PLUS NARCOTICS CHARGES. SENTENCES ARE CONSECUTIVE  
AND DO NOT RUN CONCURRENTLY.

4. PER REF B: IN MEETING MAY 31, GOBERNACION GAVE FOLLOWING  
FIGURES OF PERSONS IN FEDERAL DISTRICT INTENDING TO

REQUEST TRANSFER: SANTA MARTA (MEN) 50  
SANTA MARTA (WOMEN) 25  
ORIENTE 37  
NORTE (NOT CANVASSED)  
TOTAL 112

EMBASSY OF VIEW THAT THIS FIGURE MORE REALISTIC THAN ANY  
PREVIOUS FIGURES BUT CAUTIONS THAT NO PRISONERS LOCATED  
OUTSIDE OF MEXICO D.F., HAVE BEEN CANVASSED EITHER IN THIS  
CONSULAR DISTRICT OR ANY OTHER CONSULAR DISTRICT.

5. RE KENNEY MATERIALS, THEY WERE POUCHED TWO DAYS AFTER  
KENNEY'S DEPARTURE. DELAY IN RECEIPT OF UP TO SIX WEEKS  
FOR PACKAGE THAT SIZE WOULD NOT BE UNREASONABLE.

6. SFRC STAFF QUESTIONS AND DRAFT RESPONSE JUST RECEIVED.  
EMBASSY COMMENTS WILL FOLLOW. THOMPSON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PRISONER EXCHANGE, LAW, PAROLE, PENAL SYSTEM, COURT DECISIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 04-Jun-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01-Jan-1960 12:00:00 am  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977MEXICO08974  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770199-1018  
**Format:** TEL  
**From:** MEXICO  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Line Count:** 78  
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**Litigation Codes:**  
**Litigation History:**  
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**Message ID:** 92964685-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION L  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** 77 STATE 123185  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 25-Oct-2004 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2277973  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** US-MEXICAN PRISONER TRANSFER TREATY  
**TAGS:** CASC, CARR, PORS, MX, US  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odhc://SAS/SAS.dbo.SAS\_Docs/92964685-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
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**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009